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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,303	06/17/2006	Andreas Ritter	HM-717PCT	2509
40570	7590	05/07/2010		
FRIEDRICH KUEFFNER			EXAMINER	
317 MADISON AVENUE, SUITE 910			JENNINGS, STEPHANIE M	
NEW YORK, NY 10017				
		ART UNIT	PAPER NUMBER	
		3725		
		MAIL DATE	DELIVERY MODE	
		05/07/2010	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/583,303

**Applicant(s)**

RITTER ET AL.

**Examiner**

Stephanie Jennings

**Art Unit**

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 is/are allowed.
- 6) ☒ Claim(s) 1, 3-6 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI.08)  
Paper No(s)/Mail Date 06 February 2010
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Applicant's arguments, see pages 9-11, filed January 29, 2010, with respect to claims 1, 3-6 and 9 have been fully considered and are persuasive. The rejection of August 25, 2009 has been withdrawn.

***Terminal Disclaimer***

2. The terminal disclaimer filed on January 29, 2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of December 18, 2003 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1,3-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bode et al. US Patent No. 5,964,116 in view of Verbickas US Patent No. 6,220,071 and in further view of Cattaneo et al. US Patent No. 6,085,567.

5. In regard to claims 1, 5, and 9 Bode discloses a method for operating the rolling stands of a cold rolling mill with a pair of work rolls (13a, 13b), a pair of intermediate rolls (12a, 12b), a pair of back-up rolls (11a, 11b) (column 3, lines 41-61), the use of CVC technology (column 1, lines 55-63) and a strip (24) (column 4, lines 31-44).

6. Bode does not disclose axial shifting devices.

7. In regard to claims 1, 4, and 5, Verbickas teaches axial shifting and strip-edge oriented shifting in column 3, line 66-column 4, line 9. It would have been obvious to one skilled in the art to provide Bode's device with the shifting of Verbickas to relieve stress on the strip edges.
8. In regard to claims 3 and 6, Bode discloses piecewise functions for setback of the barrels (column 4, lines 31-62).
9. Verbickas in view of Bode does not disclose the use of pair-cross technology.
10. In regard to claim 1, Cattaneo teaches a four-high rolling mill with the use of pair-cross technology in column 3, lines 44-49. It would have been obvious to one skilled in the art to provide Verbickas in view of Bode's device with the pair-cross technology of Cattaneo so that the profile of the amount of a vertical roll gap between the work rolls can be changed so as to control the plate crown.

#### ***Allowable Subject Matter***

11. Claim 2 is allowed as discussed in the previous Office Action.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie Jennings whose telephone number is (571) 270-7392. The examiner can normally be reached on Monday-Thursday, 7 am - 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dana Ross/  
Supervisory Patent Examiner, Art Unit 3725

/S. J./  
Examiner, Art Unit 3725  
May 5, 2010